



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105-3901**

**JUN 05 2013**

Mr. John Boccio/Ms. Lorraine Gerchas  
CPUC/USDA Forest Service  
c/o Aspen Environmental Group  
5020 Chesebro Road, Suite 200  
Agoura Hills, California 91301

Subject: Second Draft Supplemental Environmental Impact Report/Environmental Impact Statement for the Tehachapi Renewable Transmission Project, Kern, San Bernardino, and Los Angeles Counties, CA (CEQ # 20130095)

Dear Mr. Boccio and Ms. Gerchas

The U.S. Environmental Protection Agency has reviewed the second DSEIR/DSEIS for the Tehachapi Renewable Transmission Project pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The second DSEIR/DSEIS provides a limited, though thorough, analysis of the impacts of implementing the Federal Aviation Administration's requirements for the installation of 2,248 transmission line marker balls, installation of obstruction lighting on ninety transmission line towers, and a reduction in height of 21 structures. The EPA supports the Project purpose to provide adequate transmission capacity for renewable energy sources.

We have rated the second DSEIS as LO, Lack of Objections (see attached "Summary of the EPA Rating System"). Below are recommendations to further mitigate the impacts of the Modified Project and clarify the document.

According to the DSEIS, the obstruction lighting that would be included in the Modified Project would be powered by a solar energy system. The EPA supports this approach. The EPA is aware, however, that solar power systems may be vulnerable to vandalism. We recommend that the SFEIS discuss the extent to which vandalism of the solar power system could result in the release of new contaminants into the environment (e.g. battery lead dispersion due to bullet strikes). The DSEIS states that a separate monitoring and communications system may be needed to provide continuous status monitoring and notification in the event of a light malfunction. The EPA recommends that the FEIS and Record of Decision include a commitment by Southern California Edison to integrate such a system into the lighting devices to alert SCE to the need for maintenance or replacement of lights.

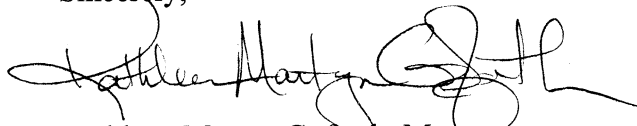
Section ES.2.3. of the DSEIS indicates that final engineering has been completed for various portions of the Project; however, section ES.5.2 states that, "once final design is completed and the Area of Potential Effects has been defined fully, additional surveys and evaluations may be necessary" regarding

cultural resources. The EPA recommends that the FEIS clarify whether or not the final engineering design has been completed for the Modified Project.

The EPA encourages SCE to work with the US Fish and Wildlife Service, California Department of Fish and Wildlife and the FAA to ensure that the design of the transmission line would be in compliance with current standards and practices that reduce the potential for raptor fatalities and avian collisions with towers and transmission lines.

We appreciate the opportunity to review this second DSEIS and are available to discuss our comments. Please send a hard copy of the FEIS to this office when it is officially filed with EPA's new electronic EIS submittal tool: *e*-NEPA. If you have any questions, please contact me at (415) 972-3521, or contact Scott Sysum, the lead reviewer for this project, at (415) 972-3742 or [sysum.scott@epa.gov](mailto:sysum.scott@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathleen Martyn Goforth', with a stylized flourish at the end.

Kathleen Martyn Goforth, Manager  
Environmental Review Office (CED-2)

Enclosure:

(1) Summary of EPA Rating Definitions

## **SUMMARY OF EPA RATING DEFINITIONS\***

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement.

### **ENVIRONMENTAL IMPACT OF THE ACTION**

#### ***"LO" (Lack of Objections)***

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### ***"EC" (Environmental Concerns)***

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### ***"EO" (Environmental Objections)***

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### ***"EU" (Environmentally Unsatisfactory)***

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. The EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality.

### **ADEQUACY OF THE IMPACT STATEMENT**

#### ***Category "1" (Adequate)***

The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

#### ***Category "2" (Insufficient Information)***

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

#### ***Category "3" (Inadequate)***

The EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

